

January 13, 2020

**VIA ECF**

The Honorable Stewart D. Aaron  
United States Magistrate Judge  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street  
New York, New York 10007

**RE: *Contant, et al. v. Bank of Am. Corp., et al.*, No. 17-cv-3139-LGS (S.D.N.Y.)**

Dear Judge Aaron:

Pursuant to Rule 1.D of Your Honor's Individual Practices, counsel for Plaintiffs, HSBC, and FXCM (collectively, the "Parties") respectfully submit this joint letter requesting a three-week extension on the deadline for the Parties to file a joint letter regarding the pending motions to compel.

On December 16, 2019, following a telephone conference with the Parties, Your Honor ordered that the Parties shall file a joint letter by January 15, 2019, regarding any remaining disputes as to the scope of the production by FXCM and setting forth:

(1) the portion of the anticipated production that falls within the scope of both Plaintiffs' and Defendants' subpoenas and the anticipated cost of production; (2) the portion of the anticipated production that is specific to Plaintiffs' subpoena and an estimate of the additional cost as to the Plaintiffs-only portion; and (3) the portion of the anticipated production that is specific to Defendants' subpoena and an estimate of the additional cost associated with the Defendants-only portion.

ECF No. 367.

Counsel for the Plaintiffs and the Defendants have met and conferred, and are continuing to do so, in attempt to resolve disputes as to the scopes of the subpoenas and payment for the production costs before meeting and conferring with FXCM. We believe that counsel for the Plaintiffs and Defendants will be able to make substantial progress towards resolving all disputes before discussing any such resolution with FXCM; however, we will not be able to reach an agreement by the current January 15, 2019, deadline. Accordingly, the Parties respectfully request that the deadline be extended three weeks to February 5, 2020. If your Honor grants this request, the Parties will endeavor to move as quickly as possible under the circumstances and will report to the Court if they are able to reach an agreement prior to the requested February 5, 2020, deadline.

The Parties have not requested any previous extensions of this deadline.

Respectfully submitted,

BERGER MONTAGUE PC

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